

HOUSE BILL 3077
By Buck

AN ACT to amend Tennessee Code Annotated, Title 8, Chapter 14 and Title 16, Chapter 2, relative to public employees and officials.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 16-2-506 (1)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the first judicial district is entitled to nine (9) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2001 the district attorney general of the first judicial district is entitled to ten (10) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2002 the district attorney general of the first judicial district is entitled to twelve (12) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 2. Tennessee Code Annotated, Section 16-2-506 (3)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the third judicial district is entitled to eight (8) full-time assistant district attorney general positions, one (1) part-time assistant district

attorney general position and three (3) criminal investigator positions. Effective July 1, 2001 the district attorney general of the third judicial district is entitled to nine (9) assistant district attorney general positions, one (1) part-time assistant district attorney general position and three (3) criminal investigator positions. Effective July 1, 2002 the district attorney general of the third judicial district is entitled to ten (10) assistant district attorney general positions, one (1) part-time assistant district attorney general position and three (3) criminal investigator positions;

SECTION 3. Tennessee Code Annotated, Section 16-2-506 (4)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the fourth judicial district is entitled to seven (7) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2001 the district attorney general of the fourth judicial district is entitled to nine (9) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2002 the district attorney general of the fourth judicial district is entitled to eleven (11) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 4. Tennessee Code Annotated, Section 16-2-506 (8)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the eighth judicial district is entitled to six (6) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 1993, the district attorney general of the eighth judicial district is entitled to one (1) additional secretarial position. Effective July 1, 2001 the district attorney general of the eighth judicial district is entitled to seven (7) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 5. Tennessee Code Annotated, Section 16-2-506 (10)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the tenth judicial district is entitled to ten (10) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2001 the district attorney general of the tenth judicial district is entitled to eleven (11) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2002 the district attorney general of the tenth judicial district is entitled to twelve (12) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 6. Tennessee Code Annotated, Section 16-2-506 (11)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

The district attorney general of the eleventh judicial district is entitled to nineteen (19) assistant district attorney general positions and four (4) criminal investigator positions. Effective July 1, 2001 the district attorney general of the eleventh judicial district is entitled to twenty-four (24) assistant district attorney general positions and four (4) criminal investigator positions. Effective July 1, 2002 the district attorney general of the eleventh judicial district is entitled to twenty-nine (29) assistant district attorney general positions and four (4) criminal investigator positions;

SECTION 7. Tennessee Code Annotated, Section 16-2-506 (12)(8), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twelfth judicial district is entitled to eight (8) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2001 the district attorney general of the twelfth judicial district is entitled to ten (10) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2002 the district attorney general of the twelfth judicial district is entitled to twelve (12) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 8. Tennessee Code Annotated, Section 16-2-506 (13)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the thirteenth judicial district is entitled to eight (8) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2002 the district attorney general of the thirteenth judicial district is entitled to nine (9) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 9. Tennessee Code Annotated, Section 16-2-506 (14)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the fourteenth judicial district is entitled to four (4) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 10. Tennessee Code Annotated, Section 16-2-506 (15)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the fifteenth judicial district is entitled to seven (7) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2001 the district attorney general of the fifteenth judicial district is entitled to eight (8) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2002 the district attorney general of the fifteenth judicial district is entitled to ten (10) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 11. Tennessee Code Annotated, Section 16-2-506 (16)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the sixteenth judicial district is entitled to nine (9) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2001 the district attorney general of the sixteenth judicial district is entitled to eleven (11) assistant district attorney general positions and one (1) criminal

investigator position. Effective July 1, 2002 the district attorney general of the sixteenth judicial district is entitled to fourteen (14) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 12. Tennessee Code Annotated, Section 16-2-506 (17)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the seventeenth judicial district is entitled to five (5) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 13. Tennessee Code Annotated, Section 16-2-506 (18)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the eighteenth judicial district is entitled to six (6) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2001 the district attorney general of the eighteenth judicial district is entitled to seven (7) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2002 the district attorney general of the eighteenth judicial district is entitled to nine (9) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 14. Tennessee Code Annotated, Section 16-2-506 (19)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the nineteenth judicial district is entitled to twelve (12) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2001 the district attorney general of the nineteenth judicial district is entitled to seventeen (17) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2002 the district attorney general of the nineteenth judicial district is entitled to twenty-two (22) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 15. Tennessee Code Annotated, Section 16-2-506 (20)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twentieth judicial district is entitled to twenty-nine (29) assistant district attorney general positions and five (5) criminal investigator positions. Effective July 1, 2001 the district attorney general of the twentieth judicial district is entitled to thirty-three (33) assistant district attorney general positions and five (5) criminal investigator positions. Effective July 1, 2002 the district attorney general of the twentieth judicial district is entitled to thirty-eight (38) assistant district attorney general positions and five (5) criminal investigator positions;

SECTION 16. Tennessee Code Annotated, Section 16-2-506 (21)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-first judicial district is entitled to seven (7) assistant district attorney general positions and one (1) criminal investigator position and one (1) additional assistant district attorney general position; provided, that the funding for such additional assistant district attorney general position is provided exclusively by the municipal and county governments which comprise the twenty-first judicial district. Effective July 1, 2001 the district attorney general of the twenty-first judicial district is entitled to eight (8) assistant district attorney general positions and one (1) criminal investigator position and one (1) additional assistant district attorney general position; provided, that the funding for such additional assistant district attorney general position is provided exclusively by the municipal and county governments which comprise the twenty-first judicial district. Effective July 1, 2002 the district attorney general of the twenty-first judicial district is entitled to ten (10) assistant district attorney general positions and one (1) criminal investigator position and one (1) additional assistant district attorney general position; provided, that the funding for such additional

assistant district attorney general position is provided exclusively by the municipal and county governments which comprise the twenty-first judicial district;

SECTION 17. Tennessee Code Annotated, Section 16-2-506 (22)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-second judicial district is entitled to eight (8) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2001 the district attorney general of the twenty-second judicial district is entitled to ten (10) assistant district attorney general positions and two (2) criminal investigator positions. Effective July 1, 2002 the district attorney general of the twenty-second judicial district is entitled to twelve (12) assistant district attorney general positions and two (2) criminal investigator positions;

SECTION 18. Tennessee Code Annotated, Section 16-2-506 (23)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-third judicial district is entitled to seven (7) assistant district attorney general positions and one (1) criminal investigator position. The fifth assistant district attorney general position shall not be filled unless full funding for the position is secured from local, federal or other funding sources apart from state appropriations. Effective July 1, 2001 the district attorney general of the twenty-third judicial district is entitled to eight (8) assistant district attorney general positions and one (1) criminal investigator position. The fifth assistant district attorney general position shall not be filled unless full funding for the position is secured from local, federal or other funding sources apart from state appropriations;

SECTION 19. Tennessee Code Annotated, Section 16-2-506 (24)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-fourth judicial district is entitled to six (6) assistant district attorney general positions and one (1) criminal investigator

position; Effective July 1, 2001 the district attorney general of the twenty-fourth judicial district is entitled to seven (7) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 20. Tennessee Code Annotated, Section 16-2-506 (25)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-fifth judicial district is entitled to nine (9) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2001 the district attorney general of the twenty-fifth judicial district is entitled to twelve (12) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2002 the district attorney general of the twenty-fifth judicial district is entitled to fifteen (15) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 21 Tennessee Code Annotated, Section 16-2-506 (26)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-sixth judicial district is entitled to seven (7) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2001 the district attorney general of the twenty-sixth judicial district is entitled to eight (8) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2002 the district attorney general of the twenty-sixth judicial district is entitled to nine (9) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 22. Tennessee Code Annotated, Section 16-2-506 (28)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-eighth judicial district is entitled to five (5) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 23. Tennessee Code Annotated, Section 16-2-506 (29)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the twenty-ninth judicial district is entitled to three (3) assistant district attorney general positions and one (1) criminal investigator position;

SECTION 24. Tennessee Code Annotated, Section 16-2-506 (30)(B), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the thirtieth judicial district is entitled to forty-eight (48) assistant district attorney general positions and thirteen (13) criminal investigator positions. Effective July 1, 2001 the district attorney general of the thirtieth judicial district is entitled to fifty-eight (58) assistant district attorney general positions and thirteen (13) criminal investigator positions. Effective July 1, 2001 the district attorney general of the thirtieth judicial district is entitled to sixty-eight (68) assistant district attorney general positions and thirteen (13) criminal investigator positions;

SECTION 25. Tennessee Code Annotated, Section 16-2-506 (31)(B)(iii), is amended by deleting the subsection in its entirety and substituting instead the following:

(B) The district attorney general of the thirty-first judicial district is entitled to three (3) assistant district attorney general positions and one (1) criminal investigator position. Effective July 1, 2001 the district attorney general of the thirty-first judicial district is entitled to four (4) assistant district attorney general positions and one (1) criminal investigator position.

SECTION 26. Tennessee Code Annotated, Section 8-14-202 (d), is amended by deleting the subsection in its entirety and substituting instead the following:

(d) For each judicial district for which district public defenders are authorized, there shall be authorized the following number of assistant public defender positions effective in each of the three fiscal years as shown:

<u>Judicial District</u>	<u>Current Positions</u>	<u>Assistant Public Defender Positions (Effective 7/1/2000)</u>	<u>Assistant Public Defender Positions (Effective 7/1/2001)</u>	<u>Assistant Public Defender Positions (Effective 7/1/2002)</u>
1	5	6	7	7
2	5	6	7	7
3	5	6	7	7
4	4	5	6	6
5	2	3	3	3
6	15	15	17	18
7	3	3	3	3
8	3	4	4	4
9	3	4	4	4
10	5	5	5	5
11	10	10	12	12
12	3	4	4	4
13	4	4	5	5
14	2	3	3	3
15	3	4	5	5
16	4	4	5	5
17	3	4	5	5
18	3	4	5	5
19	4	5	6	8
21	3	4	5	5
22	4	5	6	6
23	3	4	4	4
24	4	4	4	4
25	4	5	6	7
26	4	5	6	6
27	3	3	3	3
28	2	3	3	3
29	2	3	3	3
31	1	1	1	1

SECTION 27. It is the legislative intent to provide additional assistant public defender positions in both the 20th and 30th judicial districts in a manner consistent with the current case weighting study promulgated by the comptroller of the treasury. Funding for these positions shall be specifically authorized by the general appropriations act.

SECTION 28. Tennessee Code Annotated, Section 16-2-506 (20)(A), is amended by adding the following at the end thereof:

Effective September 1, 2000, there is created an additional chancery court and an additional criminal court in the twentieth judicial district. At the August 2000 general election, the qualified voters of the twentieth judicial district shall elect one person in

accordance with the provisions of §16-2-505, to serve as judge of the chancery court and shall elect one person in accordance with the provisions of §16-2-205, to serve as judge of the criminal court created by this section for eight-year terms;

SECTION 29. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 30. This act shall take July 1, 2000, the public welfare requiring it.